



**U.S. Department of Justice
U.S. Attorney's Office
Western District of Texas**

Johnny Sutton, U.S. Attorney

FOR IMMEDIATE RELEASE

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**INDICTMENTS FILED FOR ASSAULTS
RESULTING IN SERIOUS BODILY INJURY ON U.S. MILITARY BASE**

(WACO, TEXAS) United States Attorney **Johnny Sutton** announced today the return of federal grand jury indictments in connection with two incidents of children being assaulted resulting in serious bodily injury on Fort Hood.

The first indictment alleges that 56-year-old **ROSE M. CHERRY** assaulted a four-year old girl. Court records allege that between 12:30 am and 3:30 am on May 13, 2003, the child suffered a beating which resulted in severe bruising and numerous lacerations to her face, arms, hands and legs. Records also reflect that the defendant advised law enforcement that she whipped the child with a belt "to get her to do her homework." The girl was pronounced dead at a local hospital sometime after 3:00 am. The official cause of death has yet to be determined.

The second indictment alleges that 28-year-old **JOHN DALE MAYER, JR.**, assaulted a two-year-old girl. Court records allege that approximately 8:00pm on May 25, 2003, Mayer was sitting on the floor changing the girl's diaper. When the child wouldn't cooperate, Mayer intentionally banged the girl's head on the linoleum floor at least two times causing serious bodily injury.

Upon conviction, both Cherry and Mayer each face up to ten years in federal prison and a maximum \$250,000 fine. Both remain in federal custody pending trial. No trial dates have been scheduled.

This cases are being investigated by the Federal Bureau of Investigation and the U.S. Army Criminal Investigation Division. Special Assistant United States Attorney Sandra Beckner is prosecuting these cases on behalf of the government.

An indictment is a formal accusation of criminal conduct, not evidence. Defendants are presumed innocent unless and until convicted through due process of law.

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